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Attorneys for Defendant
THE PROCTER & GAMBLE COMPANY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

**RYAN EDMUNDSON, On Behalf of
Himself, All Others Similarly Situated
and the General Public,**

Plaintiff,

vs.

**THE PROCTER & GAMBLE
COMPANY,**

Defendant.

Case No. 3:10 cv 2256 H (NLS)

[Assigned for all purposes to Honorable
Marilyn L. Huff]

**DECLARATION OF DANIEL J.
STEPHENSON IN SUPPORT OF THE
PROCTER & GAMBLE COMPANY'S
MOTION TO DISMISS PLAINTIFF'S
COMPLAINT PURSUANT TO FRCP
12(B)(6) AND THE PROCTER &
GAMBLE COMPANY'S REQUEST
FOR JUDICIAL NOTICE**

[Filed Concurrently With
(1) Defendant The Procter & Gamble
Company's Request for Judicial Notice
in Support of its Motion to Dismiss
Complaint;

(2) Defendant The Procter & Gamble
Company's Notice of Motion and
Motion to Dismiss Complaint;
Memorandum of Points and Authorities
in Support;

(3) [Proposed] Order Dismissing
Complaint;

(4) [Proposed] Order Granting The
Procter & Gamble Company's Request
for Judicial Notice

Hearing Date: February 14, 2011
Time: 10:30 a.m.
Location: Courtroom 13

DECLARATION OF DANIEL J. STEPHENSON

I, Daniel J. Stephenson, declare as follows:

1. I am an attorney duly admitted to practice before the courts of the State of California and the United States District Court for the Southern District of California. I am a member of the law firm of Dykema Gossett, LLP, counsel of record for Defendant The Procter & Gamble Company. I am also admitted in the State of Michigan, and was counsel of record for the Defendant in *Sands v. The Procter & Gamble co.*, Eastern District of Michigan Civil Action Number 08-cv-15170.

2. I have personal knowledge of the facts stated in this declaration and, if called as a witness, I could and would testify competently to each fact. I submit this declaration in support of Defendant The Procter & Gamble Company's Notice of Motion and Motion to Dismiss Complaint; Memorandum of Points and Authorities; and Request for Judicial Notice in Support;

3. Attached hereto as Exhibit 1 is a true and correct copy of Packaging for Fusion and Fusion Power Blade Cartridges.

4. Attached hereto as Exhibit 2 is a true and correct copy of U. S. Patent No. 5,985,459, November 16, 1999.

5. Attached hereto as Exhibit 3 is a true and correct copy of the March 29, 2010 Order Adopting Report and Recommendation, Docket #28 in *Sands v. The Procter & Gamble co.*, Eastern District of Michigan Civil Action Number 08-cv-15170.

6. Attached hereto as Exhibit 6 is a true and correct copy of a July 7, 2010, Case Management Order, Docket #40, in *Sands v. The Procter & Gamble Co.*, Eastern District of Michigan Civil Action Number 08-cv-15170.

1 I declare under penalty of perjury under the laws of the United States of
2 America that the foregoing is true and correct.

3 Executed this 10th day of January, 2011, at Los Angeles, California.

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5 /s/ Daniel J. Stephenson
Daniel J. Stephenson

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